

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Caroline Gomez

Cr.: 07-CR-598-01

Name of Sentencing Judicial Officer: The Honorable Stanley R. Chesler, U.S.D.J.

Date of Original Sentence: 12/11/07

Original Offense: Conspiracy to Distribute Oxycodone

Original Sentence: Five (5) years probation. Special conditions: drug aftercare, defendant enter a long term treatment program consisting of residential treatment, and cooperate with DNA collection.

Type of Supervision: Probation

Date Supervision Commenced: 12/11/07

PETITIONING THE COURT

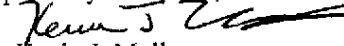
- ☐ To extend the term of supervision for _____ Years, for a total term of _____ Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office.

CAUSE

As evidenced in correspondence dated February 4, 2008, received from Southern District of Florida U.S. Probation Officer Kathleen Shannon-Hunt, and Probation Form 49 (Waiver of Hearing to Modify Conditions of Supervised Release) signed by the offender, that the offender is in need of mental health treatment services.

Respectfully submitted,


By: Kevin J. Mullens
Senior U.S. Probation Officer

Date: 03/17/08

7/1

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other


Signature of Judicial Officer


Date

PROB 49
(3/89)

SD/FL PACTS #93263

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

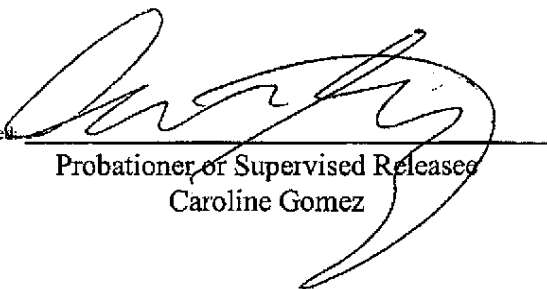
The defendant shall participate in an approved inpatient/outpatient mental health treatment program. The defendant will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment.

Witness:



U.S. Probation Officer
Kathleen Shannon-Hunt

Signed:



Probationer or Supervised Released
Caroline Gomez

3/14/2008

Date

PROB 12A
(7/93)

United States District Court
for
District of New Jersey
Report on Offender Under Supervision

Name of Offender: Caroline Gomez

Cr.: 07-CR-598-01

Name of Sentencing Judicial Officer: The Honorable Stanley R. Chesler, U.S.D.J.

Date of Original Sentence: 12/11/07

Original Offense: Conspiracy to Distribute Oxycodone

Original Sentence: Five (5) years probation. Special conditions: drug aftercare, defendant enter a long term treatment program consisting of residential treatment, and cooperate with DNA collection.

Type of Supervision: Probation

Date Supervision Commenced: 12/11/07

NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|----|---|
| 1. | The offender unlawfully possessed or used controlled dangerous substances on December 11, 2007, specifically, opiates(Percocet), and on January 15, 2008, specifically, Benzodiazepine, as evidenced by urine specimens obtained and by the offender's verbal and written admissions to drug use. |
|----|---|


U.S. Probation Officer Action:

According to correspondence dated February 4, 2008, received from Southern District of Florida U.S. Probation Officer Kathleen Shannon-Hunt, the U.S. Probation Office is in the process of securing the offender's placement in a residential drug treatment facility. However, prior to Gomez's admission into such a facility, she needs to be free from the use of any narcotic substances. Thus, she is currently in a medically supervised program for Methadone withdrawal, with admission into a residential drug treatment facility to follow her completion of this program.

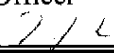
Furthermore, the offender has a documented mental health history involving treatment for depression and her use of medication for treatment of this condition. In preparation for her admission into the residential drug treatment facility, it has been determined that Gomez is also in need of mental health treatment which may require medication. Gomez has agreed, as evidenced by her signature on Probation Form 49(Waiver of Hearing to Modify Conditions of Probation/Supervised Release), to modify the original conditions of her supervision to include a mental health special condition, and we have prepared the attached Probation Form 12B(Request for Modifying the Conditions or Term of Supervision with the Consent of the Offender) for the Court's consideration.

We are respectfully recommending that the Court take no action in this matter at the time, given Gomez's appearance of her realization that she is in need of treatment and is willing to cooperate with the U.S. Probation Office and her drug/mental health counselors.

Respectfully submitted,


By: Kevin J. Mullens

Senior U.S. Probation Officer

Date: 03/17/08 

No Response is necessary unless the court directs that additional action be taken as follows:

- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other

Signature of Judicial Officer

Date

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

March 17, 2008

THOMAS S. LARSON
SUPERVISING PROBATION OFFICER

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ROOM 130
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PATERSON, NJ 07509-2097
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The Honorable Stanley R. Chesler
United States District Court Judge
Frank R. Lautenberg U.S. Post Office and Courthouse
Room 417
P.O. Box 999
Newark, New Jersey 07101-9971

RE: GOMEZ, Caroline
Dkt. No.: 07-CR-598-01

**REPORT OF NON-
COMPLIANCE/REQUESTS FOR
MODIFICATION AND
TRANSFER OF JURISDICTION**

Dear Judge Chesler:

On December 11, 2007, the offender appeared before Your Honor for sentencing upon being convicted of conspiracy to distribute Oxycodone. Gomez was sentenced to five (5) years probation. While on probation, she was ordered to comply with special conditions of drug aftercare, to enter a long term inpatient treatment program consisting of residential treatment, and to cooperate in the collection of DNA as directed by the Probation Office. She was also ordered to pay a special assessment of \$100.

Gomez has been supervised by our office in the Southern District of Florida, as she is a resident of their district. We are in receipt of correspondence dated February 4, 2008, from the offender's supervising U.S. Probation Officer Kathleen Shannon-Hunt, detailing Gomez's non-compliance, and the Probation Office's actions in response as follows.

The offender unlawfully possessed or used controlled dangerous substances on December 11, 2007, specifically, opiates(Percocet), and on January 15, 2008, specifically, Benzodiazepine, as evidenced by urine specimens obtained and by the offender's verbal and written admissions to drug use.

U.S. Probation Officer Shannon-Hunt, is in the process of securing the offender's placement in a residential drug treatment facility. However, prior to Gomez's admission into such a facility, she needs to be free from the use of any narcotic substances. Thus, she is currently in a medically supervised program for Methadone withdrawal.

Furthermore, the offender has a documented mental health history involving treatment for depression and her use of medication for treatment of this condition. In preparation for her admission into the

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March 17, 2008

residential drug treatment facility, it has been determined that Gomez is also in need of mental health treatment which may require medication. Gomez has agreed, as evidenced by her signature on Probation Form 49(Waiver of Hearing to Modify Conditions of Probation/Supervised Release), to modify the original conditions of her supervision to include a mental health special condition.


We have completed the attached Probation Form 12 A (Report on Offender under Supervision) detailing the offender's noncompliance. We are respectfully recommending that the Court take no action in this matter at the time, given Gomez's appearance of her realization that she is in need of treatment and is willing to cooperate with the U.S. Probation Office and her drug/mental health counselors. Furthermore, we are also requesting the Court's consideration to modify the offender's conditions of supervision to include mental health treatment.

If Your Honor is agreeable to the above-mentioned recommendation and modification, we are also requesting the Court's consideration for transferring jurisdiction of this case to the Southern District of Florida, as Gomez is a resident of Florida. Should Your Honor concur with this request, please sign each of the attached forms at your earliest convenience, maintaining one copy for your records, and returning **two original, signed forms** to this office for processing.

Should Your Honor require additional information or wish to discuss the matter further the undersigned officer is available at (973) 357-4081 at your convenience.

Very truly yours,

CHRISTOPHER MALONEY, Chief
U.S. Probation Officer


By: Kevin J. Mullens
Senior U.S. Probation Officer

/kjm

PROB 22 (Rev. 2/88)		DOCKET NUMBER (<i>Tran. Court</i>) 07-CR-598-01	
TRANSFER OF JURISDICTION		DOCKET NUMBER (<i>Rec. Court</i>)	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: Caroline Gomez 735 Heron Drive Delray Beach, FL 33444	DISTRICT New Jersey	DIVISION	
	NAME OF SENTENCING JUDGE The Honorable Stanley R. Chesler, U.S.D.J.		
	DATES OF PROBATION/ SUPERVISED RELEASE:	FROM 12/11/07	TO 12/10/12
OFFENSE Conspiracy to Distribute Oxycodone			
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE New Jersey			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the Southern District of Florida upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*			
_____ <i>Date</i>		_____ <i>United States District Judge</i>	
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>Southern District of Florida</u>			
IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.			
_____ <i>Effective Date</i>		_____ <i>United States District Judge</i>	